

## ARTICLE III: ZONING STANDARDS

### SECTION 1: RURAL RESIDENTIAL AND AGRICULTURAL SUB-DISTRICT (RR/A)

- 1.1 Purpose.** This chapter establishes the Rural Residential and Agricultural Sub-District and standards specifically applicable within the Sub-District. The purpose of the Rural Residential and Agricultural Sub-District is to promote and preserve continued agricultural and rural residential use of property, including waterways, open space, trails, and wildlife corridors as important elements of the Four Corners community. For the purpose of § 76-2-209, MCA, the RR/A Rural Residential and Agricultural Sub-District is determined to be residential in nature. Uses in this Sub-District must meet all compatibility requirements detailed in Section 7.
- 1.2 Principal Uses.** Principal uses permitted in the RR/A Zoning Sub-District are listed below. With the exception of Agriculture and agriculture-related structures, any new construction associated with principal uses require an administrative land use permit from the Planning Department prior to any construction. See Article II for the permitting process.

| Use   | Comments   |
|---|--|
| Agriculture and agricultural activity         | Includes associated structures and employee housing.   |
| Essential Services, Type I                    |  |
| Home Occupations                              | See development standards in Section 7.2.7,  |
| Mobile Home Parks                             | Need MCA reference   |
| Religious Organizations and places of Worship |  |
| Residential                                   | Includes single-family residences up to and including four-plexes (including apartments), accessory uses, guesthouses, and caretakers residences. Accessory dwelling units shall not exceed more than two. |
| Riding Stables                                |  |
| Schools                                       |  |
| Wind or Solar Towers                          |  |

- 1.3 Conditional Uses.** Conditional uses permitted in the RR/A Zoning District are listed below and will require a conditional use permit pursuant to Article II prior to commencement.

| Use | Comments |
|-----|----------|
|-----|----------|

|  |   |
|--|---|
| Bed and Breakfast Inns   |   |
| Communications Towers  | Outside of platted subdivisions   |
| Community Centers  |   |
| Daycare facilities in compliance with applicable state regulations |   |
| Essential Services, Type II  |   |
| Golf Courses and Country Clubs                                     |   |
| Home-based businesses  |   |
| Non-Conforming Uses - Expansion                                    |   |
| Nursing and Residential Care Facilities                            | Define  |
| Residential  | Residential uses exceeding four-plex units                                    |
| RV Parks and Recreational Campgrounds                              |   |
| Sand and Gravel Mining Operations                                  | Excluding asphalt mixing plants. See Section 7.2.8 for Development Standards. |
| Special events facilities and uses                                 |   |
| Veterinary Clinics   | Not including Animal Kennel Operations  |
| Warehousing  | Self-storage only   |

#### 1.4 Required Property Line Setbacks.

1.4.1 Setbacks: There are no minimum property line setbacks. Property line setbacks are controlled by the landscape buffers described in Section 7.2.5.

1.4.2 Exemptions. When a lot owner owns multiple lots, landscape buffers for the common interior property line do not apply and lot owners may build across lot lines. Landscaped buffers apply on the outer lot lines.

#### 1.5 Building Height. Unless otherwise excepted by Section 1.5.1, the height of all new Structures shall be limited to 50 feet as measured from the lowest point of the finished grade to the highest structural point of the roof.

1.5.1 Exemptions. The construction of a new Agricultural Structure or the addition to an existing Agricultural Structure is not subject to the requirements of Section 1.5.

#### 1.6 Density. The number of lots allowed is based on gross average density. There is no minimum lot size; lots may be any size as long as the overall density of the project does not exceed that allowed by this section. Base density in the RR/A subdistrict shall not exceed 1.75 units per gross acre.

1.6.1 Fractional Density. If the number of allowable gross units result in a fractional number, the fractional number shall be rounded off to the nearest whole number

to determine the allowable units per project. For the purposes of rounding off, 0.5 and above shall be rounded up to the next highest number, and 0.49 and below shall be rounded down to the next lowest number.

- 1.6.2 Inter-District Transfer of Rights (TDR) and/or Credits (TDC). In the event a countywide TDR or TDC program is created, this section will apply. Subdivisions purchasing development credits from Gallatin County Sending Areas may receive a density up to 2.5 units per gross acre.

Open space requirements for subdivisions purchasing credits shall refer to Table 1.1 below.

- 1.6.3 Intra-District Transfers of Development Rights. Residential development rights may be transferred between properties within the RR/A Sub-District of the Four Corners Zoning District, including between properties in different sub-districts, with the exception that no development rights may be transferred into the LDRR/A Sub-District.

Subdivisions purchasing development rights from within the Four Corners Zoning District may receive a density up to 3.5 units per gross acre. Open space requirements for subdivisions purchasing credits shall refer to Table 1.1 below. Property selling development rights shall refer to Section 1.7.4 below.

**1.7 Open Space Requirements.** Park space required by the Montana Subdivision and Platting Act and the Gallatin County Subdivision Regulations is included in the open space calculations.

- 1.7.1 General Requirements. Subdivisions with any lots smaller than 5 acres shall provide open space in compliance with the sliding scale in Section 1.7.3. See Section 7.3.4 for compliance with all open space standards.

- 1.7.2 Sliding Scale Requirements. Open Space requirements within new subdivisions shall follow a sliding scale increasing relative to the density of the subdivision according to Table 1.1. If the increased density results in a fraction that does not correspond to one of the categories in the table below, the open space requirement for the nearest density shall be used.

**Table 1.1**

| <b>Transfer of Development Credits/Rights Program</b> | <b>Density</b>                                       | <b>Percentage of Open Space Required Within Subdivision</b> |
|---|--|---|
| Density allowed by right                              | Less than 1 lot per 5 acres to 1.75 units per acre   | 20%   |
| Density achieved by transfer of rights or credits     | Greater than 1.75 units per acre to 2 units per acre | 20%   |
| Density achieved by transfer of rights or credits     | Greater than 2 units per acre to 2.5 units per acre  | 25%   |
| Density achieved by transfer of rights only           | Greater than 2.5 units per acre to 3 units per acre  | 25%   |
| Density achieved by transfer of rights only           | Greater than 3 units per acre to 3.5 units per acre  | 25%   |

- 1.7.4 Open Space Requirements for Intra-District Transfers of Development Rights. Open space shall be permanently set aside on the property sending the development rights within the District in an amount corresponding to the number of rights purchased using the base density (as per Section 1.6). (For example, based on a base density of 1.75 units per acre, if 18 development rights are purchased, 10 acres of open space shall be set permanently aside on the sending parcel and not counted in any future development right calculation.) Standards in Section 7.3.4 apply.

## **1.8 Additional Standards.**

- 1.8.1 Refer to Section 7 for Development Standards.
- 1.8.2 Landowners are reminded that other federal, state, and local approvals may be required, including but not limited to approval for sanitation and water supply facilities, demonstration of adequate water rights, access or system impact approvals from Gallatin County and/or the Montana Department of Transportation, compliance with covenants, or any other federal, state, or local approvals required by law. If the requirements of this Regulation conflict with the requirements of any other lawfully adopted rules, regulations or covenants, the most restrictive (or higher standard) shall govern.